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PUNISHMENT
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Alcatraz and Marion

Evaluating super-maximum custody

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Abstract

The controversy over the behavioral and mental health consequences of confinement in high-security prisons has its origins in penal policies dating to the early 19th century. The rationale leading to the establishment of the first super-maximum custody prison at Alcatraz Island, California and the conversion in 1983 of the federal penitentiary at Marion, Illinois to a 'supermax' regime is briefly described. The subsequent application of the 'Marion model' by state prison systems is reviewed in terms of legal challenges and the criticisms of mental health professionals. Several measures of conduct after release from conditions of supermax confinement for Alcatraz and Marion inmates are presented. The need for systematic research and the difficulties in undertaking studies of this important new direction in penal policy are discussed.

Key Words

supermax prisons • punishment • prisoners' rights • solitary confinement

There is much about penal policy in the USA that puzzles and disturbs criminologists, legal scholars, and prison reform leaders in the United Kingdom and western Europe. The use of the death penalty is of particular concern, followed by dismay at the number of persons locked up in jails and prisons, the length of prison sentences, and statutes such as 'mandatory minimums' and 'three strikes' laws. 'Chain gangs' and 'boot camps' are other punitive initiatives seen as unduly harsh, as is the subject of this article, so-called 'supermax' prisons – measures Garland cites as examples of the 'strategy of punitive segregation' that has emerged in the USA and the UK (2001: 142).

The growth of supermax prisons in which particularly difficult-to-manage prisoners are isolated from each other was criticized in an article in this journal. According to King, prison administrators in the United Kingdom, unlike their American counterparts, have faced the problem of dealing with obstreperous inmates 'with a better understanding of the circumstances in which order is maintained in prison without resort to coercion . . . the use of supermax custody has become at least a pre-emptive strategy that is almost

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certainly disproportionate in scale to the problems faced and at worst a routine and cynical perversion of penological principles' (1999: 183, 182).

The assertions that effective alternatives are available to control violent prisoners and that prisoner violence is the product of repressive actions by prison staff and harsh conditions of confinement have currency for some American criminologists, but none with corrections agency administrators. The widely accepted view in the USA is that management should be held accountable for various forms of staff misconduct and most prison problems, including escapes, riots and other forms of violence.¹

Critics outside the USA are also perplexed by the fact that international standards pertaining to the treatment of prisoners appear to have no influence whatsoever in American penitentiaries. Explaining how the mix of historical, social, economic, political and cultural forces in the USA has produced what observers from other countries regard as a very violent society is subject matter that is beyond the scope of this article.²

While it is important that penal policy-makers debate justifications for and arguments against supermax prisons, systematic study is required to test whether the theories supporting or condemning this new direction in American penology are, in fact, accurate. Given the rhetoric of both the advocates and the critics and the possible consequences for prisoners, not to mention the costs of building and operating these very expensive prisons, one might assume that research would be a high priority for all parties.

At present we know of no qualitative or quantitative research, other than that presented in the pages ahead, that focuses on the effects of confinement in any supermax prison. The absence of empirical evidence has not, however, deterred even experienced penal policy analysts from rendering judgments about the negative behavioral and mental health consequences they believe are related to this new form of penal confinement:

The consistent challenge posed by supermax settings is their demonstrably adverse impact on the mental health of difficult, but vulnerable, prisoners. These high-tech segregation settings also pose additional problems having to do with regimes that include gratuitous stressors and custodial overkill and treatment liable to enhance rather than reduce the violence potential of inmates. (Toch, 2001: 376)

Although hard data and controlled clinical studies are lacking, we find it difficult not to believe that prolonged super-max conditions would cause serious psychological and social problems for anyone, whether mentally strong, weak, or something between. (Kurki and Morris, 2001: 415)

Here, we argue that it is important to distinguish between systematic criminological research and assertions about the impact of supermax confinement based on one's imagination, impressions gained through tours of a prison and conversations with several senior staff, or interviews with prisoners selected for the visitor by prison officials or by lawyers building cases against specific regimes. In contrast, a standard research design calls for careful analysis of data from prisoner and administrative records and comprehensive interviews, preferably over time, with a representative sample of the men who actually do the time in these special penal settings. Such research efforts are, however, difficult to mount for reasons to be discussed at the conclusion of this article.

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THE BACKGROUND OF THE STRATEGY OF ISOLATING PRISONERS

The core idea underlying the supermax prison is that inmates, the prison itself, and the prison system of which it is part, will function better if the most assaultive and escape-prone prisoners are isolated from each other as well as from the main body of less problematic prisoners. The history of placing offenders in isolation in American prisons began in 1829, with the establishment of Eastern Penitentiary in Pennsylvania. The architectural design of this prison was intended to ensure that no prisoner could have any contact with his fellow convicts.³

Eastern penitentiary was criticized for producing sickness and insanity. As the total isolation model collapsed, other strategies evolved to deal with rebellious prisoners.⁴ 'Good-time' awards and a parole system to provide incentives for good conduct were established. For short-term punishment, and incapacitation of escape artists, riot and strike leaders, and assaultive prisoners, wardens established disciplinary segregation units called 'seg', 'solitary' or 'isolation'. In addition, some penologists argued that troublemakers should be dispersed among different prisons to dilute their influence in populations of generally conforming prisoners. Others contended that the most rebellious and assaultive inmates from a number of prisons should be concentrated in one relatively small, tightly controlled penal environment.

FEDERAL SUPER-MAXIMUM CUSTODY BEGINS WITH ALCATRAZ

In 1933, the newly reorganized Federal Bureau of Prisons developed its version of the concentration model at the former military prison on Alcatraz Island in San Francisco Bay. Alcatraz can reasonably be considered the first step in the development of the modern supermax prison. The decision to concentrate the most serious disciplinary problems from several federal prisons in a highly controlled setting was the by-product of a national strategy, devised by Attorney General Homer Cummings and the new director of the Federal Bureau of Investigation, J. Edgar Hoover. Their plan called for confining a group of highly publicized gangsters, including John Dillinger, 'Machine Gun' Kelly, 'Pretty Boy' Floyd, the Barker-Karpis mob, and especially, Al Capone, in a new, small 'maximum custody-minimum privilege' penitentiary. The nation's first super-maximum security prison was primarily intended to represent a powerful symbol of the consequences for serious criminal conduct, not to control prison troublemakers.

Alcatraz, which began operations in July 1934, was established for the purposes of punishment, incapacitation, and deterrence; there was no pretense that its 'habitual, intractable' prisoners could or would be 'rehabilitated'. It was to be a 'super prison for the super criminals caught by the super cops' (Powers, 1983: 44).

Doing time on an island called 'The Rock' entailed confinement in a very small prison under the tight control of a large custodial staff. No teachers, vocational instructors, social workers, or psychologists were ever employed at Alcatraz. The inmate population averaged 260. The only 'program' was work — a privilege that had to be earned. Prisoners who tried to escape, assaulted staff, or killed other prisoners could be confined in a special disciplinary segregation unit for months, or in some cases years, in what was the country's first 'Control Unit'. Contact with the outside world was almost entirely eliminated. Censored letters to and from wives and blood relatives were limited to two handwritten pages two times a week. Visits with the few family members and attorneys who

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could travel across the country to San Francisco were conducted through a thick window with guards standing by listening to every word.

Concern was expressed from the outset by relatives, and by some newspaper reporters and academic criminologists, that prisoners would 'break' under the deprived, monotonous regime on the island. The response of the Department of Justice, reiterated for 30 years, was that other federal prisons were able to go about their business in an orderly fashion because their wardens had a place to send their most disruptive and assaultive troublemakers. Because the number of high-profile gangsters who survived gun battles with local police and FBI agents was limited to two dozen or so offenders, Alcatraz's population was comprised almost entirely of prisoners who had records of violence or escapes at other federal prisons.

While the prisoners protested the conditions of confinement from the beginning, daily life at Alcatraz changed very little over the three decades it was in operation. However, in the postwar optimism of the 1950s, criminologists and penal theorists began to advance new ideas about the rehabilitation potential of imprisonment. During this era, Alcatraz came under sustained attack from within the corrections establishment itself. Incarceration under conditions of such severe separation from free society combined with so many deprivations was regarded as not only outdated, but counter-productive when compared to incentives for good conduct. The new theory held that remedial efforts offered within prisons could correct flaws in psychological development and overcome the effects of negative family and social environments that produced criminal conduct.

When Alcatraz ceased operations in March 1963, it was regarded as a relic of a penal philosophy that had been discredited. The Federal Prison System, which saw its role as setting standards for the nation and which was already building a new penitentiary in Marion, Illinois, did not want its reputation undercut by such a prominent symbol of the old penology.

MARION AND THE 'PARADOX' OF PRISON REFORM

United States Penitentiary (USP) Marion opened in June 1963. Its staff included the new professionals in the field now called 'corrections' – social workers, psychologists, teachers, and vocational and recreation specialists. The full range of counseling, educational opportunities, enhancement of work skills, and other remedial programs found in all federal penitentiaries were offered.

During the 1960s, events in American society produced profound changes in both the living and working conditions in the country's prisons. The Civil Rights movement which contributed to the end of the 'hands off' doctrine by federal courts was replaced by 'judicial activism' – direct intervention by judges in penal policies and practices. The rising political consciousness of their disadvantaged status by minority groups led to the division of inmate populations into warring factions based on race and ethnicity. When this conflict was combined with the growth of the drug trade, the level of violence in prisons across the country rose sharply. By the early 1970s, powerful gangs (the Mexican Mafia, Nuestra Familia, Black Guerrilla Family, and the Aryan Brotherhood) were fighting each other and using violence to control disloyalty within their own groups as they sought to expand their control over drug traffic, extortion rackets, and the flow of

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contraband. At the same time prison administrators and staff had become uncertain as to how they could maintain order when faced by numerous suits filed by inmates and various prisoners' rights groups which challenged existing practices. In many prisons across the country, inmates not affiliated with gangs, as well as prison staff, became subject to threats, intimidation, and assaults. These changes in American prisons have been described as 'the paradox of reform':

Men's prisons across the country are besieged with violence. Inmate murders in state prisons alone left 450 inmates dead in 1972 and 1973 . . . indeed, death by murder is more common in prison than on the outside . . . Paradoxically, the rise in violence paralleled the growth of the prison reform movement, and escalated as rehabilitative policies became standard correctional practice and as the courts abandoned their 'hands-off' doctrine in prisoners' rights cases. Thus, at the very time our prisons were being designed to be more humanitarian, they were becoming worse. Whereas at one time prisoners had to fear possible brutality by prison guards, today the chief perpetrators of violence against prisoners are other prisoners. (Engel and Rothman, 1983: 89-91)

Prison violence became a matter of national concern.⁵

USP MARION: THE RETURN TO THE CONCENTRATION MODEL

In 1973, other federal penitentiaries and 36 of the 50 states began sending their most violent prisoners and gang leaders to a 'Control Unit' established at Marion. The purpose of the Control Unit was 'to separate those offenders whose behavior seriously disrupted the orderly operation of an institution from the vast majority of offenders who wish to participate in regular institutional programs' (US Department of Justice, 1973).

As the rate of assaults, particularly on staff, continued to increase, the Bureau in 1979, introduced a higher level of security to the five which rated each federal prison, and designated Marion as the Bureau's only 'level 6' penitentiary. Its stated purpose was to provide long-term, highly controlled segregation for inmates from throughout the federal system with records of serious violence. When the Bureau concluded that, as one warden put it, 'placing all the rotten apples in one barrel' with a capacity of only 435 single cells would allow other prisons to operate more openly, the return to the Alcatraz model was complete.

THE END OF CONGREGATE ACTIVITIES AT MARION

While strikes, group disturbances, assaults on staff and prisoners continued, and even after 10 inmate murders occurred between February 1980 and October 1983, congregate activities were still available for all for prisoners not housed in the Control and Disciplinary Segregation Units. The killings that brought a permanent end to congregate activities for the majority of the inmates at Marion occurred on 22 October 1983 in the Control Unit - presumably the most secure and tightly controlled area of confinement in the entire federal prison system. In two separate incidents on the same day, two officers were killed and four others injured. Other staff members were told that they would be next to die and three days later an inmate was killed, the twenty-fifth to die at the hands of his fellow prisoners. On October 28, a state of emergency was declared,

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congregate activities were terminated, and Marion was 'locked down', and, with the exception of two new units, remains so to this day.

LIVING UNDER LOCKDOWN CONDITIONS

To establish control over the prisoners, a wide range of new policies and practices were instituted. Officers were issued riot batons and orders were given that before any inmate left his cell, he was to place his hands behind his back at the food-tray slot in the barred cell door so that handcuffs could be placed on his wrists and leg chains attached to his ankles. Even under these restraints, no inmate was to be moved from his cell for any reason without a supervisor and several officers to escort him. Basic law libraries were installed in each unit to reduce the opportunity for inmates to pass messages and contraband from unit to unit, hidden in legal papers and law books. Weightlifting and body-building equipment was removed and exercise was limited to walking or jogging in a very small area, calisthenics, and the use of a chin-up bar.

Personal property, except for a few family photos and letters, was removed from cells. New visiting procedures went into effect, which allowed four non-contact visits of one hour per month. Strip searches were ordered for all inmates before and after visits, including those with their attorneys. Digital rectal examinations, called 'finger waves', were ordered for any prisoner being taken from, or admitted to, Marion. Control Unit and Disciplinary Segregation Unit (short-term punishment) prisoners received one hour of solitary recreation five days a week in wire-enclosed areas within each unit. Metal bed frames were replaced with concrete foundations and a concrete shelf was constructed on the wall in each cell to hold a small black and white television set.

Inmates who wished to talk with chaplains, case workers, or the psychologist were required to carry on their conversations through the bars of their cells. The only prisoners allowed to engage in congregate activities (work, eating, and recreation) would be those who earned their way to a 'transitional' unit and a 'pre-release' unit.

To ensure inmate movement through the various units of the prison and back to level-five penitentiaries (and to make room for new 'management problems'), a system for earning transfers was established.⁶

THE MARION REGIME IS FOUND NOT TO VIOLATE PRISONERS' CONSTITUTIONAL RIGHTS

The 'High Security Program', as the lockdown was officially labeled, produced strong protests from prisoners' rights groups and from the prisoners themselves when they were interviewed by news reporters. When the complaints reached the US House of Representatives Subcommittee on Courts, Civil Liberties, and the Administration of Justice, which had oversight responsibility for federal prisons, hearings were held and an investigation of Marion was authorized.⁷

Subsequent to the Alcatraz era, prisoners, their lawyers, and civil rights groups had found ready access to, and in many important cases, redress in the federal courts in their effort to expand or defend 'prisoners' rights'. But as the social and political climate changed during the 1970s and 1980s, the press, the electronic media and elected officials raised crime to the level of a major national problem. Coupled with the image of prisons

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out of control, a corresponding loss of sympathy for the welfare of prisoners followed. This new set of circumstances began to be reflected in judicial findings.

Some 10 months after Marion ended congregate activities and imposed severe restrictions on all inmate movement, lawyers from the Marion Prisoners' Rights Project filed a 'Motion of Preliminary Relief Re: Brutality' in the Federal District Court in Southern Illinois. Considering the frequency and seriousness of violence at the prison, the court ruled that the increased level of control was not a disciplinary measure, rather 'it was a legitimate tightening of the institution's overall security', and that 'the 8th amendment does not prevent prison officials from deciding to change the conditions of confinement for administrative reasons, so long as the conditions do not involve cruel and unusual punishment, which plaintiffs in the instant case have not shown' (*Bruscino v. Carlson*, 1985: 402-3). Lastly, the court concluded:

U.S.P. Marion is U.S.P. Marion. It houses the most vicious, unmanageable, and manipulative inmates in our penal system today and perhaps in the history of the penal system in the United States. To argue . . . that U.S.P. Marion should be operated as an open population is sheer folly . . . Those ideas, for the most part, have been tried at U.S.P. Marion and have been found to be unworkable. One needs only to review the inmate profiles to conclude that U.S.P. Marion is not your normal penitentiary. (*Bruscino v. Carlson*, 1985: 475)

The findings of the District Court were subsequently upheld by the 7th Circuit US Court of Appeals and the United States Supreme Court denied a *writ of certiorari* in July 1989. In their study of the impact of judicial decisions on the nation's prisons, Feeley and Rubin (1999: 142) concluded that, 'Whatever the reasons for the judiciary's positive response to Marion, the correctional establishment chose to interpret it as validating the concept of a supermaximum-security prison.'

THE 'MARION MODEL' EXPANDS TO THE STATES

The significance of the rulings in *Bruscino v. Carlson* is fundamental in understanding how the supermax concept came to be adapted by the various states. The finding of the federal courts that confinement under lockdown conditions did not constitute 'cruel and unusual' punishment gave legitimacy to what came to be called the 'Marion Model'. When state prison wardens visited and observed the unprecedented degree of control the Marion staff had over prisoners, several commented that they 'had died and gone to heaven'. Across the country the growth of prisons with Marion-type regimes has, however, been accompanied by escalation in forms of punishment in some states that has resulted in the intervention of federal judges to force modifications of various elements of these regimes.⁸ As 'Marionization' proceeded the debate that had gone on for 30 years about the effects of confinement at Alcatraz was quickly revived.

REASONS FOR PLACEMENT AND TIME SERVED AT MARION

It is important to note that very few federal prisoners serve their entire sentences at Marion or at the new 'administrative maximum' penitentiary (ADX) at Florence, Colorado. In February 2002, of 158,500 federal prisoners, 464 were housed at Marion, and 406 at Florence ADX – slightly more than one-half of 1 percent of the total

population. In June 1994, the Marion general population was comprised of 363 men, of whom 26.4 percent had committed one or more murders in the free world, 5.5 percent had killed prison staff, and 23.1 percent had killed one or more inmates in prison.

There is only one Control Unit within the Federal Prison System. During the period of our study, the Marion Control Unit population in June 1994, before the prisoners and the unit's function were transferred to Florence ADX, was comprised of 57 men in the following categories: assaulting staff (3), taking staff hostage (8), killing other prisoners (23), attempting to kill other prisoners (12), escape or attempted escape (7), pattern of disruptive or assaultive behavior (2), and participation in or leadership of riots or disturbances (2). The average term in the Control Unit has risen over the past 18 years from 36 to 60 months. The ADX Control Unit has a capacity of 78; in March 2002, it housed 47 prisoners.

The types of misconduct listed above are the justifications for confinement for a specific number of months at Marion or Florence ADX. As with its predecessor Alcatraz, each of these prisons has also housed a handful of notorious offenders. Contemporary Florence residents have included Theodore Kaczynski (the so-called 'Unabomber'), Timothy McVeigh (until his transfer for execution) and Terry Nichols (convicted in the Oklahoma City bombing), Ramsey Yousef and other 'terrorists' found guilty in the first World Trade Center bombing and in the plot to destroy the United Nations Building and other New York City landmarks, and members of Al Qaeda convicted in the bombing of two US embassies in Africa. These high-profile prisoners are not sent directly to the Control Unit, but to general population units or special protective custody units. Prisoners not committed to the Control Unit also receive a specified number of months to serve at Marion. The average time served at Marion ranged from slightly under three years in 1984, 1985, 1986, 1990, and 1992 to between three and four years in the other years of this study. Only 12 of 1020 remained at Marion for the entire decade.

Because space must always be available, men in the Control Unit eventually move to general population units, and all prisoners, assuming the absence of misconduct reports, move on to an intermediate unit that allows more association with other prisoners and, finally, to a pre-transfer unit where they become eligible to be moved to standard prisons.

Inmates had spent an average of five years in other federal prisons before they arrived at Marion and were serving sentences that averaged 40 years. The Marion inmates were older than men in other federal penitentiaries: only 17 percent were under 30 years of age, 25 percent were 31-35, 23 percent were 36-40, 16 percent were 41-45, 14 percent were 46-50, and 5 percent were 51 years or older. Approximately 44 percent of inmates were white, 20 percent were Hispanic, 34 percent were African-American, and 2 percent were Asian or American Indian.

Like the Alcatraz population before it, the Marion and Florence ADX inmates are in no way representative of the larger federal prison population. The historical record makes it clear, however, that even a regime for a group of prisoners all of whom have records of violence attracts criticism of the severity of the punishment.

MEASURING SUPERMAX

The use of excessive criteria for confinement in a number of and the behavior of Marion 'model' against prisoner excessive force a problem in penitentiaries. The issue we are concerned with in several states is the effect of isolation physically to the behavior of these

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MEASURING THE EFFECTS OF CONFINEMENT IN FEDERAL SUPERMAX CUSTODY

The use of excessive force, the confinement of mentally ill prisoners, the lack of clear criteria for commitment to, and release from, supermax prisons that have been reported in a number of state prisons confounds the debate about managerial costs and benefits and the behavioral consequences resulting from incarceration in these prisons. The Marion 'model' does not imply or countenance gratuitous or impulsive acts of revenge against prisoners by employees. Nevertheless, the temptation and provocation to use excessive force against prisoners who have threatened or assaulted staff members is a real problem in penal settings in which staff have the means to inflict serious punishment. The issue we address in this article is perhaps more fundamental because it is not concerned with inappropriate or counter-productive policy or aberrant behavior by staff in several state prisons, but with established and justified practice. Namely, what is the effect of isolation and the deprivations and restraints, born out of the perceived necessity physically to control certain prisoners, on the mental health as well as the future behavior of these prisoners?

As previously stated, there have been no systematic studies of these issues. In regard to mental health problems, the only psychological and psychiatric reports have been based on interviews with a limited number of prisoners in connection with litigation. For example, Haney, in a widely cited article, stated that confinement at California's Pelican Bay caused some prisoners to (1) become dependent on the institution to control their behavior, (2) lose the ability 'to initiate behavior of any kind', (3) withdraw from any social interaction, and (4) begin to 'live in a world of fantasy'. Haney concluded that while prisoners who come to prisons such as Pelican Bay with pre-existing mental health problems suffer more acutely, 'this kind of environment is capable of creating clinical syndromes in even healthy personalities, and can be psychologically destructive for anyone who enters and endures it for significant periods of time' (1997: 428-37).⁹

Grassian, often referenced by supermax critics, reported the following results of interviews with 14 inmate plaintiffs who had been placed in solitary cells in a Massachusetts prison: 'perceptual changes, including hallucinations and derealization experiences, affective disturbances, difficulties with thinking, concentration, and memory, disturbances of thought content, and problems with impulse control'. Grassian concluded that these 'observations . . . strongly suggest that the use of solitary confinement carries major psychiatric risks' (1983: 1451, 1454). Judgments based on a limited number of interviews with a small, non-randomly selected group of inmates does not provide the kind of empirical evidence needed for a comprehensive assessment of the psychological effects of supermax confinement.

The data presented later are intended to advance the study of an important penal policy initiative. Any generalizations drawn from these findings are limited by the fact that the research was directed to only two institutions, both in the federal system. These findings, therefore, should not be considered as representing the experience of confinement in any state supermax prison, or any standard federal penitentiary.

POST-ALCATRAZ AND POST-MARION CONDUCT

The three most common assertions about inmate reactions to confinement in supermax prisons articulated by critics are:

- The 'rage' hypothesis, which contends that these prisoners when transferred back to standard penitentiaries, will be so angry and frustrated that they will attack other prisoners or seek revenge against employees of the system that so confined them
- the prisoners' mental health will be negatively affected by living under lockdown conditions, and
- when finally released to the 'free world', the prisoners' rage or damaged mental health, or both, will result in continuing criminal, especially violent, conduct.

The Alcatraz data come from the senior author's study of the 1550 men who served time at the island prison from 1934 to 1963. This investigation abstracted data from the voluminous prison files accumulated on the inmates, as well as their arrest and parole records. These materials made it possible to examine the pre-Alcatraz, Alcatraz, and post-Alcatraz prison experiences of a randomly selected sample of one-third (520) of the inmate population. A complete report of the statistical outcome data will be published in book form; here, we provide only data related to the issues listed above.¹⁰

Data on the post-release conduct of the Marion prisoners was obtained as an extension of the senior author's investigation of the prison for the Judiciary Committee of the US House of Representatives. For purposes of comparison with the Alcatraz population, the Bureau of Prisons agreed to the collection of basic data on the post-Marion conduct of the 1020 inmates who passed through that prison from the end of October 1983 through June 1994.

The most consistently recorded indicators of Alcatraz and Marion prisoners' 'adjustment' are reports of their conduct, or rather, their misconduct. We were also able to gather several basic measures of the incidence of serious mental health problems for both these populations as measured by transfers, for psychiatric reasons, to the Medical Center for Federal Prisoners at Springfield, Missouri. In addition, we report the proportion of the Marion cohort who were placed on psychotropic medication, although all of the men in this group were included among those prisoners transferred to Springfield. Lastly, we provide data on suicides at both prisons.¹¹

RETURN RATES FOR ALCATRAZ AND MARION PRISONERS

In this section, we provide measures of the behavior of inmates transferred from Alcatraz or Marion to other federal prisons. The data presented here is derived from two sources: (1) reports by prison staff which pertain to whether the inmate's behavior in other federal prisons was sufficiently assaultive or disruptive to warrant being returned to Alcatraz or to Marion and (2) information from parole officers and FBI records of criminal behavior after release from prison or violations of parole that were so serious they justified a return to prison.¹² Obviously, only conduct that came to official attention was reported, but these particular prisoners were subject to a very high level of surveillance in other prisons and by parole officers and law enforcement agencies after release.

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for disciplinary reasons. No Alcatraz prisoner was returned for killing another prisoner or for seriously injuring or killing an officer or any other employee at any receiving institution. For the 1020 prisoners who served time at Marion from October 1983 and throughout June 1994, 84 percent remained in the populations of the prisons to which they had been transferred; 16 percent were returned to Marion. About half of the men who were returned, as can be seen in Table 1, came back to Marion as a result of escape attempts, drug distribution or use, or to be placed in the Protective Custody Unit. In all, 23 prisoners were returned for assaulting or threatening staff members, 3 because they killed other prisoners, and 22 as a result of assaults on other prisoners. These data do not provide significant empirical support for the 'rage' hypothesis: that anger built up in prisoners forced to submit to supermax confinement will be carried over and expressed in violence when they are transferred to less restrictive prison environments.

The second indicator of how men confined in federal super-maximum custody managed that experience relates to their conduct when they were finally released from their sentences. The follow-up period for the men who served time at Alcatraz is, of course, much longer; only a small number of men in the Marion cohort had been released through 1998 for the first phase of our follow-up. The post-release arrest records of both populations again provide evidence of over-prediction of dangerousness.

TABLE 1 Reason for return for 132 inmates transferred from U.S.P. Marion (10/83 to 6/94)*

REASON FOR RETURN	NUMBER	PERCENT
Escape /Attempted Escape	32	24.2
Drug Distribution/ Use	23	17.4
Assault With Weapon on Inmate	16	12.1
Assault Without Weapon on Staff	11	8.2
Rioting	8	6.0
Threatening Staff	8	6.0
Assault Without Weapon on Inmate	6	4.6
Possession/Conveying Weapons	6	4.6
To Marion Protective Custody Unit	6	4.6
Group Demonstration/Work Strike	4	3.0
Murder of Inmate	3	2.3
Attempted Murder of Staff	2	1.5
Return from State Custody	2	1.5
Attempted Murder of Inmate	1	0.8
Assault With Weapon on Staff	1	0.8
Sexual Assault on Staff	1	0.8
Sexual Assault on Inmate	1	0.8
Sexual Proposal to Staff	1	10.8

* One hundred sixty-eight men returned, but 36 with protective custody needs were returned from state placements in which no explanation was recorded as to the reason for their return; this group is excluded from the data reported here

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Some 50 percent of the Alcatraz prisoners never returned to any prison, state or federal. For purposes of comparison, the return-to-prison rate for a randomly selected sample of 257 prisoners serving time at Leavenworth, a level-'5' federal penitentiary, during the same 30-year period that Alcatraz operated was 36.6 percent – a somewhat higher 'success' rate for that group of prisoners. However, the fact that so many of the Alcatraz prisoners stayed out of prison confounded the predictions of the critics and surprised former Bureau officials and Alcatraz prisoners.

At this point in time, only limited follow-up data on the post-release experience of the Marion prisoners is available. These men are serving very long terms; their average length of sentence ranged from 41.8 years in 1991 to 36.6 years in 1994. Approximately 24 percent of the Marion inmates have life sentences compared to 2.1 percent in the overall Bureau of Prisons population; 39 percent have sentences of more than 20 years compared to 9.5 percent of the entire Bureau population. Furthermore, prisoners assigned to Marion for serious misconduct are less likely to win early paroles or, for those sentenced under the determinate sentencing system, to accumulate good time. We can thus far only report data on the first 80 Marion prisoners released from their federal sentences who have been out of prison for at least 36 months; this group has a return-to-prison rate of 49 percent, almost identical to that of their predecessors from Alcatraz. Of the 38 Marion inmates returned to prison, 12 were charged with drug offenses, 15 for crimes against persons (6 for assault, 5 for armed robbery, 2 for bank robbery, 1 for a sexual offense, and 1 for murder), 4 men were returned for firearms violations, and 4 for unspecified violations of parole conditions.¹³

Since aging has been found to be a correlate of declines in criminal conduct, it should be noted that for the Alcatraz inmates, age at release was not the most important predictor of success after release. For the first 80 Marion prisoners released, age alone also did not differentiate 'successes' from 'failures'. Some 48 percent of those released between the ages of 31 and 40 were returned to prison; 50 percent of those released between the ages of 41 and 50 returned; and 45.4 percent of those released at age 50 and older came back. An examination of time served, however, provides findings that go in the expected direction, as can be seen in Table 2.

The post-release measures for the Alcatraz prisoners, the decline in misconduct which allowed more than 80 percent of the Marion prisoners to remain in the lower custody institutions to which they were transferred, and the ability of half of the Marion cohort to stay out of prison to date provide evidence, albeit tentative, that the predictions of destructive behavioral consequences, namely violence, resulting from long-term incarceration in supermax prisons do not appear to hold true for most of the men in these populations of federal prisoners.

TRANSFERS FROM ALCATRAZ AND MARION FOR MENTAL HEALTH REASONS

Adequate research on the psychological effects of supermax confinement has been confounded by the placement of mentally ill prisoners with histories of violence in a number of state prisons. Data from the federal system offers a better potential for addressing this question because the Bureau of Prisons has had its own mental health facility since its organization in the early 1930s, unlike many state departments

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11 to 15
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TABLE 2 Time served and recidivism for 80 Marion prisoners

YEARS SERVED PRIOR TO RELEASE	NUMBER WITHIN EACH CATEGORY	NUMBER AND PERCENT RECIDIVATING WITHIN EACH CATEGORY	
		NUMBER	PERCENT
0 to 5	5	3	60.0
6 to 10	29	19	65.5
11 to 15	29	12	41.4
16 to 20	11	4	36.4
21 to 25	4	1	25.0
26+	2	0	0.0

of correction. The Medical Center for Federal Prisoners at Springfield, Missouri, in terms of both physical plant and staffing, has always accepted prisoners at the highest security levels.

Over its 30-year history, 8 percent of the Alcatraz prisoners were clinically diagnosed as manifesting evidence of psychosis. Some two-thirds of these prisoners were transferred to Springfield. An analysis of the records of these transferees indicates that about one out of four brought their mental health problems with them to the island. During the period 1983-94, Marion transferred 3.1 percent of its inmates to Springfield for mental health reasons. Included in this figure is the 0.06 percent of the entire population who were placed on psychotropic medication at Marion during this period.

If considered a measure of extreme stress, 4 men committed suicide out of 1550 Alcatraz inmates during the period 1934-63; 4 Marion prisoners committed suicide during the period 1973-83 when congregate activities were available. In all, 2 of 1020 Marion prisoners committed suicide during the high-security regime period of this study, 1983-94.

The absence of standard measures of psychological adjustment (diagnostic interviews and test results) for these two populations is a limitation on conclusions regarding the mental health consequences of confinement. Very few Alcatraz and Marion prisoners were diagnosed as having mental health problems serious enough to result in transfers to the Springfield Medical Center. This finding suggests that most of the men in these exceptional federal prison populations were able to survive their years in super-maximum custody without suffering psychological damage serious enough that they could not adjust to life in other prisons or in the free world after release, as measured by prison conduct, parole supervision and arrest records.

DISCUSSION

Attempting to explain outcome data that contradict the predictions of so many interested parties, including the prisoners themselves, is a formidable task. Here, we can only note some indirect supporting evidence from other studies. A recent literature review confirmed the findings of earlier studies regarding the absence of psychological 'harm' as a result of

the effects of solitary confinement, a feature of confinement directly related to supermax prisons: 'the empirical data we reviewed questioned the validity of the view that imprisonment is universally painful. Solitary confinement, under limiting and humane conditions, long-term imprisonment, and short-term detention failed to show detrimental effects' (Bonta and Gendreau, 1995: 88). A study of penitentiary inmates at five US and Canadian prisons concluded that the argument that 'solitary confinement in prisons is universally damaging, aversive, or intolerable was not supported' (Suedfeld et al., 1983: 303). Although few in number and none conducted in a supermax prison, these reports of the effects of solitary confinement indicate that individual differences among prisoners in supermax settings need to be taken into account. The great majority of federal prisoners who worked their way up to Alcatraz and Marion through the disciplinary segregation units of other prisons were, by definition, aggressive, self-confident, risk-taking individuals who appear to have been well prepared by virtue of prior prison experience and personality characteristics to take on the rigors of serving time under harsh conditions.

The findings reported here should not be interpreted to imply that doing time in supermax prisons is not difficult, very frustrating and extremely unpleasant. The issue for these particular prisoners, however, is less removal from the larger society than removal from ordinary prison society. The Alcatraz and Marion interviewees expressed a strong sense of 'personal control' (Goodstein et al., 1984) and accounted for their conduct in terms of rational considerations. Most attributed their circumstances to bad decisions ('being stupid'), lack of planning, and getting involved with the wrong partners. The Alcatraz prisoners who failed after release clearly understood what went wrong with their resolve to avoid returning to prison. Most interviewees recognized that having to do time in a setting without even the distractions of normal prison life combined with the aging process (referred to as 'getting tired') prompted them to start calculating the costs and benefits of both past and future misconduct. These men recognized that as the years pass it became important not to miss, forever, life in the free world and they came to appreciate the relative freedom of movement and the range of activities and privileges that accompany life in standard federal prisons. The interviews also indicated, however, that most of these men take a certain amount of pride at having stood up to the severest punishment the federal government could administer. By not showing 'weakness', they left Alcatraz and Marion with their self-respect intact.

THE CHALLENGE OF RESEARCH IN SUPERMAX SETTINGS

In the introduction to this paper, we argued that undertaking comprehensive studies in supermax prisons should have been a high priority for criminologists. Factors that may have contributed to the paucity of research in this area have been identified by Simon:

Forty years after the publication of Gresham Sykes' *Society of Captives*, and the second edition of Donald Clemmer's *The Prison Community*, the incarcerated population in the US, now over 2 million has grown to an unprecedented size, but paradoxically attention to and concern with the social order of prisons in US academic and political discourse has declined. Just when the experience of imprisonment is becoming a normal pathway for significant portions of the population, the pathways of knowledge that made the experience of incarceration visible are closing. (2000: 285)

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Simon describes the shift from the rich tradition of studies of the social order in American prisons to quantitative studies of incarceration rates and sentencing practices and issues related to 'fear of crime', including crime prevention and community policing. He identifies Dilulio's study of prison management styles as the precursor of the change in the focus of research from the 'prison community' to the problems of managing 'the current gang-dominated inmate society' which has given rise to the supermax penitentiary. According to Simon, prison sociology is not dead as is evident in the work of British scholars.¹⁴ He concludes (Simon, 2000: 303): 'If we are to understand the transformation (of prison sociology) we need to explore the way that specific pathways of power and knowledge into and out of the prison have themselves been transformed. More urgently, we need to reconstitute sources of knowledge that can make prison social order more visible to a public whose infatuation with incarceration depends on deep ignorance as to its fundamental effects.'

Conducting research in supermax prisons poses challenges that exceed those in standard penitentiaries. Genuine security and personal safety concerns apply to information sought from these prisoners, information in the federal system that occupies full-time intelligence officers as well as FBI and Drug Enforcement agents who are always encouraging prisoners to 'roll over' – giving up information about, or to testify against, other prisoners, gang leaders, activities, and various criminal and prison offenses. In exchange, prisoners may be awarded a transfer to a Protective Custody or Witness Security Unit, to another federal prison or to a state prison that does not have a significant gang presence. Even contact with their own lawyers is carefully controlled for these men and all visiting is 'non-contact'. Some researchers may have been discouraged by the obstacles in gaining access to prisoners and to information about them; this is, however, only the first hurdle to overcome.

At present most researchers are not of the same race or ethnicity as the prisoners – a factor whose importance is not to be underestimated when trying to relate to inmates who are clearly divided into groups based on these factors and gang membership. Furthermore, most supermax prisoners are likely to be suspicious and even confrontational with free-world visitors whom they believe, correctly in most cases, will have had no experience in and little knowledge about super-maximum custody – and will not be able to do anything to help them personally. Similarly, administrators and officers are inclined to be suspicious of researchers whom they too regard as naive (meaning, sympathetic to prisoners), and who, they assume, will be inclined to react critically as they perceive these punitive settings. With both inmates and staff expecting that outsiders will make judgments favorable to the other side, no researcher can promise to be 'objective' about super-maximum custody; there is no 'truth' about doing time in these prisons, only multiple versions of reality.

The study we reported here should be replicated to see how our findings compare to those obtained from state supermax populations. Researchers need to try to understand how and why some men 'mature' or 'calm down' under these regimes, while others do not; if the conduct of even 'habitual intractables' and the 'worst of the worst' improves, how long do these prisoners need to be confined in the most expensive penitentiaries in this country before that change occurs?

In addition to research that explicates the differences between prisoners who come back and those who do not return to super-maximum custody, attention should be paid

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to the 'adjustment' in other prisons and in the free world of the growing number of supermax prisoners who 'roll over'. These men, by giving information to prison or law enforcement officials, generally have 'contracts' placed on their lives and thus become dependent on prison staff for their survival. For obvious reasons, they are more inclined to talk with researchers about their experiences since interviews are likely to take place in lower security state and federal prisons and because they have moved to the opposite side of the strictures against giving up information that is an essential part of gang membership and the convict 'code'. With their help, researchers can reconstruct earlier events and periods of a prison's, or a prisoner's, history. On the other hand, researchers should undertake the challenge of trying to understand the exceptional psychological survival skills of those prisoners who continue to resist despite the conditions of their confinement, men such as those in the small group who were never transferred from Marion during the period of our study and remain confined at Florence ADX.

Another area for investigation relates to this question: if violent conduct declines for the prisoners who came to Alcatraz and Marion in their mid-thirties and left in their late thirties and early forties, will the same decline occur for the growing population of offenders in their late twenties and early thirties who are beginning to earn transfers to super-maximum custody? The frequent claim by correctional administrators that having a supermax prison exerts a deterrent effect on negative behavior by inmates in the other prisons should also be empirically validated.

In regard to the specific question of the impact of these environments on the mental health of prisoners other obstacles exist. Conducting research on personality attributes and characteristics of supermax prisoners (for example, are these populations filled with 'psychopathic personalities?') will require taking into account the adversarial setting in which such research must be undertaken. The findings of any study by mental health professionals hired by inmates' lawyers or working for prisoners' rights groups, such as Amnesty International or Human Rights Watch, will not be regarded as credible by prison staff. Likewise, psychological test results or psychiatric assessments by persons associated with or hired by federal or state prison systems are not likely to produce either cooperation by the prisoners or findings that the prisoners and their advocates will accept. Since very few supermax convicts regard themselves as having psychological problems, mental health researchers should expect to be held suspect. Gathering data on the mental health of supermax prisoners is most likely to be feasible with men who have 'rolled over'. Inquiry in this area involves efforts to distinguish the impact of a period of confinement in a supermax setting from the influence of experiences during other parts of a man's sentence in standard penitentiaries before and after leaving a supermax regime; and, of course, the personal characteristics of those prisoners who 'roll over' may differ from those who have declined this option.

Lastly, the experience of working in supermax prisons deserves study. Comments from federal prison staff suggest that there is less on-the-job stress at Marion and Florence ADX because these are the only high-security penitentiaries in which correctional personnel are in complete physical control of prisoners. Nevertheless, reports of the use of excessive force in several state prisons highlights the need to examine the management of employees as well as prisoners.

Undertaking descriptive studies of how prisoners live and how staff work in these intimidating settings is essential criminological research, along with the need to collect

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basic demographic, movement, outcome, and other quantitative data.¹⁵ The innocence, lack of understanding, and personal biases that researchers will bring to research in this difficult area of penology can only be overcome by stepping up to the gates of the prisons.

CONCLUSION

The management strategy first employed at Alcatraz, and more recently at Marion, Illinois, and Florence, Colorado, and in the versions of the federal model adapted by many states over the past decade, represents a direction in penal policy that is consistent with components of the 'new penology':

Criminal sanctioning has been aimed at individual-based theories of punishment. In contrast, the new penology is markedly less concerned with responsibility, fault, moral sensibility, diagnosis, or intervention and treatment of the individual offender. . . . The task is managerial, not transformative. It seeks to regulate levels of deviance, not intervene or respond to individual deviants or social malformations. . . . It does not speak of impaired individuals in need of treatment or of morally irresponsible persons who need to be held accountable for their actions. Rather, it considers the criminal justice system, and it pursues system rationality and efficiency. It seeks to sort and classify, to separate the less from the more dangerous, and to deploy control strategies rationally. . . . The new penology is neither about punishing nor rehabilitating individuals. It is about identifying and managing unruly groups. (Feeley and Simon, 1992: 451-2)

While the growth of supermax prisons may represent 'lowered expectations for the penal system that result from failure to accomplish more ambitious promises of the past', as Feeley and Simon have suggested (1992: 456), this new form of custody symbolizes a decline in the belief in the effectiveness of traditional punitive sanctions as a means of deterring violent behavior in prisons. If gang activity and assaults cannot be discouraged by sending men to traditional maximum security prisons in which congregate activities, privileges, and some freedom of movement are still allowed, the management option that has emerged is selective incapacitation.

The findings for the Alcatraz and Marion prisoners do not imply that 'punishment works', as one colleague suggested. Long-time Marion and ADX prisoner, John Greschner, in discussing these findings with the senior author, has correctly argued that the data presented here do not 'prove' that supermax confinement produces improved conduct since the decline in problematic behavior of prisoners after they left Alcatraz and Marion might have occurred if they had been confined in standard penitentiaries. It should also be noted that the influence of other prison settings before and after supermax confinement remains untested. The complicated question of whether changes in prisoners' behavior can be explained as a consequence of the deterrent effect of a supermax regime, by the aging process, by the success of federal authorities in inducing many prisoners to 'roll over' (become informants with transfer as a reward), by other influences or a combination of these factors, will be addressed in future reports on the Alcatraz and Marion studies.

As these special penal institutions proliferate and as problems in them are reported, empirical assessments of the consequences of doing the hardest time in American prisons becomes essential. Legal, journalistic, legislative, and research oversight is needed most when governments exercise their maximum coercive authority.

Acknowledgements

The Alcatraz study, as well as continued data collection on the Marion inmate population, was authorized by former Director of the Federal Bureau of Prisons Norman A. Carlson and his successors, J. Michael Quinlan and Kathleen Hawk Sawyer. Earlier drafts of this article were reviewed by Timothy Flanagan, Larry Karacki, and Candace Kruttschnitt. Special thanks to Gene Kassebaum, Duncan McLaughlan, Lloyd Ohlin and Irving Tallman.

No characterization or conclusion reported in this paper represents an official position of the Federal Bureau of Prisons.

Notes

- 1 See DiIulio (1987, 1991), Coyle (1994: 91-112), and Henningsen et al. (1999: 53-9).
- 2 Scholars and criminal justice officials who visit the USA quickly learn that there are significant differences in penal policies and practices between the 50 states, as well as between the states and the federal government. These differences highlight the importance of individual 'states rights' in contrast to the strong national governments that determine policy in the UK and Europe; this division of authority produces the variations in management approaches and conditions of confinement that are so evident across the states. It is for this reason that supermax penal environments now in place in two-thirds of the states represent adaptations, not adoption, of the regime originally established at the federal penitentiary at Marion, Illinois.
- 3 A comparable prison in Auburn, New York, activated in 1821, allowed prisoners to work together in silence during the day and return to individual cells at night. The policy of extreme isolation was advanced primarily as a method of rehabilitation rather than as a means of controlling inmate behavior. The process of helping the prisoner rehabilitate himself was to be aided by religious instruction and labor that represented a reward for progress in the reform effort. During this era, Barnes and Teeters (1944: 516) suggest, 'the purpose of separate confinement was not merely to punish wrongdoers. It was believed that the system held within it the seeds of reform.'
- 4 Because this latter aspect is frequently cited by critics of supermax confinement, a recent study of Eastern State Penitentiary should be noted. According to Johnston, Finkel and Cohen, the assessment of the psychological effects of solitary confinement at Eastern State, as compared to mental health problems that reflected pre-existing conditions, is complicated by the opinion of:

most, but not all doctors of the period [that] masturbation led inevitably to serious medical or mental consequences. . . . Although there seems to have been a high proportion of mentally ill prisoners in the penitentiary, it is important to note that diagnosis was not well developed and criminal insanity and mental deficiency was not clearly identified in the nineteenth century. Prisons were the dumping grounds for a significant number of mentally ill men and women, undoubtedly due to the dearth of public facilities to care for the criminally insane. In the following decades, as public mental institutions and hospitals for the criminally insane were opened, fewer disturbed individuals were sent to Cherry Hill, and the charges that the separate system caused mental derangement in prisoners seems to have dwindled in public discourse about the regime. (1994: 60)

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5 For valuable descriptions of emerging prison violence in three large state penal systems (Illinois, Texas and California), see Jacobs (1977, 1980), Crouch and Marquart (1989) and Irwin (1980).

6 The original plan specified that after 24 months of clear conduct, prisoners could move to a transitional unit which allowed a wider range of congregate activities, including group exercise; they could then move to a pre-release unit in which prisoners eat together in the prison dining hall and work in an industrial program. Following another 12 months of clear conduct, prisoners were then eligible for transfer to a lower custody penitentiary.

7 For an account of events leading up to and following the lockdown, see Ward and Breed (1985).

8 In the most notable case to date, the Security Housing Unit (SHU) at the Pelican Bay State Prison in California was charged with creating conditions of confinement that constituted 'cruel and unusual punishment'. Prisoner testimony focused upon allegations of frequent and excessive force, including 'hog-tying' (tying a prisoner's wrists and ankles together behind his back), being shot by blocks of wood fired from a gas gun, and being maced and shot with a laser stun gun while manacled. The federal judge's subsequent ruling found for the prisoners in regard to additional complaints regarding deficiencies in both medical and mental health care and agreed that staff 'have permitted and condoned a pattern of using excessive force' (*Madrid v. Gomez*, 1995).

The state of Maryland's supermax has also been the subject of a federal civil rights investigation. One of the complaints in this case related to the prison's completely inadequate mental health services. It was also alleged that 'some "especially troublesome" inmates were placed in an unheated, concrete cell covered with old feces and urine. Prisoners remained sometimes as long as four days wearing only underwear and . . . leg irons, handcuffs, and a waist chain' (Babington, 1996).

Human Rights Watch representatives visited two supermax prisons in Indiana and found that:

many of the inmates at the facilities, especially the SHU, have serious mental illnesses that make it difficult or impossible for them to comply with prison rules . . . Conditions at the super-max institutions, which are often described as 'sensory deprivation,' worsen the inmate's symptoms . . . In some cases the suffering that results is so great that the treatment must be condemned as torture under international rights law. (1997: 2)

Although their investigators were not allowed onsite, another Human Rights Watch report (1999: 2-3) on Virginia's supermax prison concluded that excessive force by staff included the punitive use of electric shock and stun devices; specific criteria for earning transfers to and from the prison were lacking.

A federal judge ruled that inmates in the state of Ohio's supermax prison had been denied their due process rights under the US Constitution 'in a number of ways, including failure to provide them a chance to be heard before placing them in Ohio's most restrictive prison and not giving adequate reasons for keeping them there' (Associated Press, 2002).

9 See also Haney and Lynch (1997).

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- 10 These data will be supplemented by interviews with 130 Alcatraz and Marion prisoners; staff and Bureau of Prisons officials.
- 11 Misconduct and mental health transfer data were obtained from the inmates' central files, from SENTRY, the Bureau of Prisons electronic data retrieval system, and data sets maintained at the research office, USP Marion. It was not possible in our follow-up to gather information from prisoner files regarding changes in 'attitudes' over time; such data were not systematically or reliably recorded. Nor were standard psychiatric assessments and psychological test results available for the great majority of Alcatraz and Marion prisoners, with the exception of the small populations in each group who were clinically diagnosed as mentally ill. No psychologist or social worker was ever employed at Alcatraz. In the absence of resident specialists, psychiatric diagnoses were rendered by US Public Health Service psychiatrists or consultants from military hospitals in the San Francisco Bay area. Psychological services, caseworkers, and a psychiatric consultant were available at Marion, but almost all prisoners were deeply suspicious or openly hostile to anyone associated with the government. Marion 'convicts', as these prisoners prefer to be called, indicated in interviews with the senior author that experiencing emotional problems was a sign of 'weakness'.
- 12 Post-release arrest and return-to-prison data were obtained through background checks using the National Crime Information Center and the National Law Enforcement Telecommunication System.
- 13 The return rate of the Marion cohort can be compared to re-arrest rates for all federal prisoners reported by Gaes et al. (1986), who found that three years after release, arrest rates (*not* return-to-prison rates) for three cohorts of federal prisoners were 51.4 percent for 1970 releasees, 43.9 percent for 1978 releasees, and 38 percent for 1980 releasees. A study of federal releasees by Harer (1993) reported a recidivism rate of 40.75 percent for 1205 federal prisoners released in 1987. A follow-up study by Beck (1989) of 108,580 prisoners released in 11 states in 1983, a sample which represented 57 percent of all state prisoners released that year, reported that 62.5 percent were re-arrested for a felony or serious misdemeanor within three years and 41.4 percent were returned to prison or jail. Langan and Levin (2002) repeated the Beck and Shipley follow-up study (this time with 272,000 prisoners released in 1994 from prisons in 15 states): 51.8 percent of this cohort were returned to prison within 3 years.
- 14 Simon cites the work of Sparks (1994), Sparks and Bottoms (1995), Carrabine (1998), and Liebling (1999a), to which we would add Bottoms and Light (1987), Bottoms (1999), and Liebling (1999b). Bottoms and Light includes reports by Coyle and by Whatmore on the Barlinnie Special Unit in Scotland, which offered positive incentives, rather than continued punishment, to men with records of consistent misconduct. This interesting experiment has been discontinued.
- 15 For further discussion of the problems in carrying out research in these settings and a list of baseline measures that researchers should be able to obtain, see Ward (1995). To our knowledge, the only other effort to gather basic data on inmates in supermax confinement was conducted in Washington State's Intensive Management Units. For which, see Lovell et al. (2000).

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